

# House File 2597 - Introduced

HOUSE FILE \_\_\_\_\_  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HF 2131)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to participation in varsity interscholastic  
2 athletic contests and athletic competitions by students  
3 participating in open enrollment.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 5756HV 82  
6 kh/nh/14

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1 1 Section 1. Section 282.18, subsection 13, Code 2007, is  
1 2 amended to read as follows:  
1 3 13. a. A pupil who participates in open enrollment for  
1 4 purposes of attending a grade in grades nine through twelve in  
1 5 a school district other than the district of residence is  
1 6 ineligible to participate in varsity interscholastic athletic  
1 7 contests and athletic competitions ~~during the pupil's first~~  
~~1 8 ninety school days of enrollment in the district for the same~~  
~~1 9 period as established pursuant to section 256.46 by the state~~  
~~1 10 board of education for children who meet the conditions~~  
~~1 11 specified in section 256.46,~~ except that the pupil may  
1 12 participate immediately in a varsity interscholastic sport if  
1 13 ~~the any of the following conditions exist:~~  
1 14 (1) The pupil is entering grade nine for the first time  
1 15 and did not participate in an interscholastic athletic  
1 16 competition for another school or school district during the  
1 17 summer immediately following eighth grade, if the  
1 18 (2) The district of residence and the other school  
1 19 district jointly participate in the sport, if the  
1 20 (3) The sport in which the pupil wishes to participate is  
1 21 not offered in the district of residence, if the  
1 22 (4) The pupil chooses to use open enrollment to attend  
~~1 23 school in another school district upon a contemporaneous~~  
~~1 24 change in parental residence.~~  
1 25 (5) The pupil chooses to use open enrollment to attend  
1 26 school in another school district because the district in  
1 27 which the student previously attended school was dissolved and  
1 28 merged with one or more contiguous school districts under  
1 29 section 256.11, subsection 12, if the  
1 30 (6) The pupil participates in open enrollment because the  
1 31 pupil's district of residence has entered into a whole grade  
1 32 sharing agreement with another district for the pupil's grade  
~~1 33 or if the~~  
1 34 (7) The parent or guardian of the pupil participating in  
1 35 open enrollment is an active member of the armed forces and  
2 1 resides in permanent housing on government property provided  
2 2 by a branch of the armed services.  
2 3 (8) The pupil has been placed in foster care or adopted.  
2 4 (9) The pupil is participating in a foreign exchange  
~~2 5 program.~~  
2 6 (10) The pupil is participating in a substance abuse or  
~~2 7 mental health treatment program.~~  
2 8 b. A pupil who has paid tuition and attended school, or  
2 9 has attended school pursuant to a mutual agreement between the  
2 10 two districts, in a district other than the pupil's district  
2 11 of residence for at least one school year is also eligible to  
2 12 participate immediately in interscholastic athletic contests  
2 13 and athletic competitions under this section, but only as a  
2 14 member of a team from the district that pupil had attended.  
2 15 c. For purposes of this subsection, ~~"school:~~  
2 16 (1) "School days of enrollment" does not include  
2 17 enrollment in summer school. ~~For purposes of this subsection,~~

2 18 "varsity"

2 19 (2) "Varsity" means the same as defined in section 256.46.

2 20 EXPLANATION

2 21 This bill changes provisions relating to participation in  
2 22 varsity interscholastic athletic contests and athletic  
2 23 competitions by students participating in open enrollment.

2 24 The bill replaces language which makes the pupil ineligible  
2 25 to participate for the first 90 school days of enrollment in  
2 26 the new district, with language that makes the period of  
2 27 ineligibility the same as that adopted by rule, pursuant to  
2 28 Code section 256.46, by the state board of education for  
2 29 children who do not meet the residence requirements for  
2 30 participation in extracurricular interscholastic contests or  
2 31 competitions.

2 32 The bill also adds to the list of conditions under which  
2 33 pupils may immediately participate in varsity athletics. The  
2 34 new conditions include a contemporaneous change in parental  
2 35 residence, placement in foster care, adoption, participation  
3 1 in a foreign exchange program, and participation in a  
3 2 substance abuse or mental health treatment program.

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3 4 kh/nh/14.1